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PTO/SB/30 (08-03)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/043,671
Filing Date	January 11, 2002
First Named Inventor	Hiromu Kitamura et al.
Art Unit	2682
Examiner Name	Lewis G. West
Attorney Docket Number	15215

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

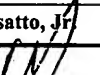
1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **19-1013/SSMP**
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ **790** enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Paul J. Esatto, Jr.	Registration No. (Attorney / Agent)	30,749
Signature		Date	February 28, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Paul J. Esatto, Jr.	Date	February 28, 2005
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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03/04/2005 HAL111 00000078 10043671

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hiromu KITAMURA, et al.

Examiner: Lewis G. West

Serial No: 10/043,671

Art Unit: 2682

Filed: January 11, 2002

Docket: 15215

For: PORTABLE TELEPHONE,
DIFFUSER AND LIGHTING
DEVICE PROVIDED THEREIN

Dated: February 28, 2005

Conf. No.: 8218

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Commissioner for Patents
P.O. Box 1450
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RESPONSE UNDER 37 C.F.R. 1.114

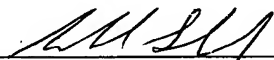
Sir:

In response to the Official Action dated December 28, 2004, Applicants respectfully request continued examination of the above-identified application in light of the following amendments and remarks:

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 28, 2005.

Dated: February 28, 2005



Aasheesh V. Shravan

patentable over the cited references because the cited references, individually or in combination, fail to teach the elements of independent claim 1. As such, it is respectfully submitted that claims 2-8 are in allowable form.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claims 1-2, 4-6 and 8 as unpatentable over Kenmochi in view of Son, the 35 U.S.C. §103(a) rejection of claims 1, 3, 5 and 7 as unpatentable over Parker in view of Son, and the 35 U.S.C. §103(a) rejection of claim 1 as unpatentable over Larose in view of Son. Further, Applicants respectfully request allowance of claims 1-8.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

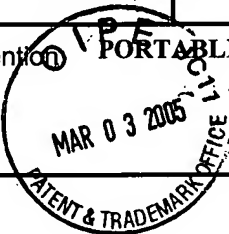
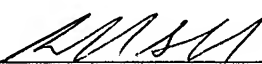



Respectfully submitted,



Aasheesh V. Shravah
Registration No. 54,445

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza - Ste. 300
Garden City, New York 11530
(516) 742-4343

AVS:jam

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. 15215															
Applicant(s): Hiromu Kitamura et al.																			
Application No. 10/043,671	Filing Date January 11, 2002	Examiner Lewis G. West	Customer No. 23389	Group Art Unit 2682	Confirmation No. 8218														
Invention: PORTABLE TELEPHONE, DIFFUSER AND LIGHTING DEVICE PROVIDED THEREIN																			
 COMMISSIONER FOR PATENTS:																			
Transmitted herewith is an amendment in the above-identified application.																			
The fee has been calculated and is transmitted as shown below.																			
CLAIMS AS AMENDED																			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE														
TOTAL CLAIMS	8 -	20 =	0	x \$50.00	\$0.00														
INDEP. CLAIMS	1 -	3 =	0	x \$200.00	\$0.00														
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00														
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00														
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.																			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																			
 _____ <i>Signature</i>			Dated: February 28, 2005																
Aasheesh V. Shravah Reg. No. 54,445 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza - Ste. 300 Garden City, NY 11530 (516) 742-4343 AVS:jam			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</td> </tr> <tr> <td style="text-align: center;">February 28, 2005</td> <td></td> </tr> <tr> <td style="text-align: center;">(Date)</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;">  </td> </tr> <tr> <td colspan="2" style="text-align: center;">Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">Aasheesh V. Shravah</td> </tr> <tr> <td colspan="2" style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on		February 28, 2005		(Date)				Signature of Person Mailing Correspondence		Aasheesh V. Shravah		Typed or Printed Name of Person Mailing Correspondence	
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